

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

ROBERT G. FRANKLIN, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	Case No. 06-0004-CV-W-GAF
)	
SHEET METAL WORKERS)	
INTERNATIONAL ASSOCIATION)	
LOCAL UNION NO. 2,)	
)	
Defendant.)	

ORDER AND JUDGMENT AWARDING COSTS

Presently before the Court is Defendant Sheet Metal Workers International Association Local Union No. 2's ("Defendant") Proposed Bill of Costs.¹ (Doc. # 218). Defendant claims total costs in the amount of \$21,626.45 arising from its defense of Plaintiff's claims. *Id.* Plaintiffs Robert G. Franklin, Glenn Steele, Edward Lewis, Leon Booker, and Darryl Bailey (collectively "Plaintiffs") oppose Defendant's Bill of Costs, arguing that allowance of such costs would create financial hardship for them, that the alleged wrongfulness of Defendant's acts preclude such an award, and that some of the costs claimed are neither reasonable nor necessary. (Doc. # 219).

After review and consideration of all relevant evidence before the Court, it is

¹Defendant requested leave to file an amended Bill of Cost to reflect corrected calculations for transcript and copy costs, while leaving the total costs claimed unchanged from that stated in its original Bill of Costs. (Doc. # 221). Defendant's request was granted on April 29, 2010, and Defendant was given ten (10) days to properly file the amended Bill of Cost. (Doc. # 224). Defendant failed to timely file the amended Bill of Cost. Therefore, the Court considers only Defendant's originally filed Bill of Cost.

ORDERED that Defendant's Bill of Costs is **GRANTED**. Judgment for costs is awarded against Plaintiffs in the sum of \$21,626.45, interest to accrue at the present statutorily available rate from the date of this Order until such time as the judgment for costs is paid in full.

IT IS FURTHER ORDERED that liability for the aforementioned costs shall be joint and several among all Plaintiffs.

s/ Gary A. Fenner
Gary A. Fenner, Judge
United States District Court

DATED: May 27, 2010